

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CHARLES LANGONE, as FUND MANAGER )  
of the NEW ENGLAND TEAMSTERS AND )  
TRUCKING INDUSTRY PENSION FUND, )

Plaintiff, )

v. )

THE 357 CORP.; THE TRANS-LEASE )  
GROUP, INC.; FAIRLANE ACCEPTANCE COMPANY; )  
WESTWOOD CARTAGE, INC.; LABOR PLUS, INC. aka )  
THE TRANS-LEASE GROUP, INC. ; ATLAS )  
PERSONNEL, INC. aka THE TRANS-LEASE GROUP, )  
INC.; ATLAS TRUCK LEASING, INC. )

Defendants. )

C.A. No. 04cv11454 GAO

**MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Now comes the Plaintiff, Charles Langone, Fund Manager of the New England Teamsters and Trucking Industry Pension Fund (hereinafter the "Pension Fund"), who moves to file the Second Amended Complaint attached hereto pursuant to F.R.C.P. 15. This is an action for the collection of withdrawal liability pursuant to the Employee Retirement Income Security Act of 1974 ("ERISA"), 29 U.S.C. §1001, *et seq.*, as amended by the Multi-Employer Pension Plan Amendments Act, 29 U.S.C. §1381 *et seq.* In support of this motion, Plaintiff relies upon the attached Memorandum of Law and Rule 15(a) certification.

Dated: November 28, 2005

Respectfully submitted,

For the Plaintiff,  
CHARLES LANGONE, FUND MANAGER,  
By his Attorney,

/S/ Catherine M. Campbell  
Catherine M. Campbell  
BBO #549397  
Feinberg, Campbell & Zack, P.C.  
177 Milk Street  
Boston, MA 02109  
(617) 338-1976

Certificate of Service

I, Catherine M. Campbell, hereby certify that I caused a copy of the Motion for Leave to File Second Amended Complaint and Memorandum in Support of Motion for Leave to File Second Amended Complaint foregoing to be mailed on November 14, 2005 by U.S. first-class mail to Geoffrey P. Wermuth, Esq., Murphy, Hesse, Toomey & Lehane, LLP, World Trade Center East, Two Seaport Lane, Boston, MA 02210, John McCarthy, President of National Traffic Systems, Inc., McCarthy Industries, Inc., Archon Co., Inc., and Warehouse Transport, Inc., 62 Everett Street, Westwood, MA 02090 and Thomas W. DiSilva, President of The Webster Corp., 20 A Street, P.O. Box 388, Burlington, MA 01803.

/S/ Catherine M. Campbell  
Catherine M. Campbell

Date: November 28, 2005